

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF: )  
 )  
AMERICAN FARM BUREAU, INC., )  
d/b/a THE FARM BUREAU CONNECTION ) No. 02-0516  
Application for a certificate of )  
local authority to operate as a )  
facilities based carrier of )  
telecommunications services in )  
the State of Illinois. )  
Chicago, Illinois

September 19, 2002

Met pursuant to notice at 10:00 a.m.

BEFORE:

MR. JOHN RILEY, Administrative Law Judge

1 APPEARANCES: (TELEPHONICALLY)

2  
3 MR. PATRICK CROCKER  
4 900 Comerica Building  
5 Kalamazoo, Michigan 49007  
6 Appearing on behalf of American Farm  
7 Bureau, Inc.

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19 MR. MARK HANSON  
20 527 E. Capitol Avenue  
21 Springfield, Illinois 62794  
22 Appearing for Staff.

19 SULLIVAN REPORTING COMPANY, by  
20 Kerry L. Knapp, CSR

I N D E X

			Re-	Re-	By
<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>direct</u>	<u>cross</u>	<u>Judge</u>

Casimir Wojciechowski

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E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
Applicant's No. 1	23	27
Applicant's No. 2	25	27
Applicant's No. 3	25	28

1 JUDGE RILEY: Pursuant to the direction of the  
2 Illinois Commerce Commission, I now call docket  
3 02-0516. This is an application by the American  
4 Farm Bureau, Inc., doing business as the Farm Bureau  
5 Connection.

6 And it's their application for a certificate of  
7 local authority to operate as a facilities-based  
8 carrier of telecommunications services in the State  
9 of Illinois.

10 And, Mr. Crocker, at this time I'm going to  
11 turn to you and ask, did you want to call your  
12 witness right at this time?

13 MR. CROCKER: Yeah. Patrick Crocker, your  
14 Honor, appearing on behalf of American Farm Bureau,  
15 Inc. And we have the same address here in  
16 Kalamazoo, 900 Comerica Building, Kalamazoo,  
17 Michigan 49007.

18 I'd like to call Mr. Casey Wojciechowski. And  
19 you spell that W-o-j-c-i-e-c-h-o-w-s-k-i.

20 JUDGE RILEY: And what is his actual -- you  
21 said the first name is Casey, but the actual first  
22 name is Casimir?

1 MR. CROCKER: Yeah, that's correct.

2 JUDGE RILEY: How is that spelled?

3 MR. CROCKER: C-a-s-i-m-i-r.

4 JUDGE RILEY: Thank you. Please, proceed.

5 MR. CROCKER: Thank you, your Honor. Can you  
6 have Casey sworn in?

7 JUDGE RILEY: Oh, I'm sorry.

8 (Witness sworn.)

9 JUDGE RILEY: Please proceed.

10 CASIMIR WOJCIECHOWSKI,  
11 called as a witness herein, having been first duly  
12 sworn, was examined and testified as follows:

13 DIRECT EXAMINATION

14 BY

15 MR. CROCKER:

16 Q. Could you please state your name and business  
17 address for the record.

18 A. My name is Casimir Wojciechowski. And my place  
19 of business is 225 Touhy Avenue, Park Ridge,  
20 Illinois 60068.

21 Q. What is your occupation?

22 A. I'm the general manager of American Farm

1 Bureau, Inc.

2 Q. Is the purpose of your testimony today to  
3 describe the nature of your company business and to  
4 demonstrate your company's financial, managerial,  
5 and technical ability to provide the services  
6 contemplated by this application?

7 A. Yes, it is.

8 Q. All right. Could you please briefly describe  
9 the nature of the service the company intends to  
10 offer by way of this application?

11 A. If approved, local service within the State of  
12 Illinois.

13 Q. Great. And in what state is the company  
14 organized?

15 A. Illinois.

16 Q. Okay. Does the company have authority to  
17 transact business within Illinois under the assumed  
18 name, The Farm Bureau Connection?

19 A. Yes, we do.

20 Q. Is it your understanding that this  
21 authorization extends through the year 2005?

22 A. Yes, it does.

1 Q. All right. Where is the company authorized to  
2 provide intrastate telecommunications services  
3 similar to the service offering proposed within this  
4 application?

5 A. Wisconsin.

6 Q. All right. Could you please briefly describe  
7 your background and business in telecommunications.

8 A. About 18 years in the telecommunications. My  
9 initial background is in the military. Also worked  
10 for AT&T and MCI. And have been providing -- and  
11 with the Farm Bureau, have been providing long  
12 distance services for the last seven years.

13 Q. Okay. And when you provide service to Farm  
14 Bureau there, do you have a management team? And  
15 could you identify that team and some of their  
16 responsibilities.

17 A. I have three managers. Mark Krolikowski is the  
18 director of operations. He oversees all operational  
19 billing and customer service.

20 Q. Excuse me. Could you spell that for the  
21 record, Krolikowski.

22 A. It's K-r-o-l-i-k-o-w-s-k-i.

1 Q. Thank you. Sorry to interrupt you.

2 A. That's not a problem.

3 Customer service manager is Judy Tuytens. Do  
4 you need that spelling?

5 Q. Please.

6 A. T-u-y-t-e-n-s. She oversees and manages all  
7 customer service operations. And John Palmer,  
8 P-a-l-m-e-r, he's our IS manager and oversees all IS  
9 operations.

10 Q. Great. And will the company offer operator  
11 services within Illinois?

12 A. No.

13 Q. Okay. And will the company provide  
14 telecommunications services to customers in Illinois  
15 in accordance with the terms, rates, and conditions  
16 set forth in the company's approved tariff?

17 A. Yes, it will.

18 Q. Has the company's financial circumstances  
19 adversely changed subsequent to the filing of this  
20 application?

21 A. No, they haven't.

22 Q. Has the company provided telecommunications



1 services in Illinois?

2 A. Yes.

3 Q. Is that service long distance service?

4 A. Yes, it is.

5 Q. And are you authorized by the Illinois Commerce  
6 Commission to provide long distance service?

7 A. Yes, we are.

8 Q. Okay. Has the company billed in Illinois under  
9 any other name?

10 A. No.

11 Q. How will the company bill for services?

12 A. We have our own internal billing platform which  
13 we operate off of.

14 Q. Okay. Will the company's name appear on the  
15 bill?

16 A. Yes, it does.

17 Q. Will a toll-free number to contact the company  
18 appear on the bill?

19 A. Yes, it will.

20 Q. All right. Who will provide repair service for  
21 the company for network?

22 A. Oh, for network, Ameritech.

1 Q. All right. How many people does the company  
2 employ?

3 A. 30.

4 MR. CROCKER: Your Honor, as a note, I'd like  
5 to indicate that in the application in Appendix A,  
6 in response to that question we had a blank. And  
7 we're now hopefully satisfying the Staff's concern  
8 on that issue.

9 JUDGE RILEY: Okay. Now, are you saying that's  
10 in the --

11 MR. CROCKER: In Appendix A of the application.

12 JUDGE RILEY: Standard questions, right?

13 MR. CROCKER: Yeah. Question No. 6.

14 JUDGE RILEY: Then we're going to have the  
15 record to reflect that the answer to question 6 in  
16 Appendix A is that the company employs 30 people?

17 MR. CROCKER: That's correct.

18 JUDGE RILEY: Okay.

19 MR. CROCKER: Thank you, your Honor.

20 BY MR. CROCKER:

21 Q. All right. Will the company's billing system  
22 be able to distinguish between resale and

1 facilities-based service for the collection of ITAC  
2 line charge?

3 A. Yes, it will.

4 Q. Okay. Has the company signed and returned the  
5 Universal Telephone Assistance Corporation and  
6 Illinois Telecommunications Access Corporation to  
7 the Commission Staff?

8 A. Yes.

9 MR. CROCKER: Your Honor, I believe that we've  
10 attached that to the application in -- somewhere in  
11 there. I don't remember where.

12 JUDGE RILEY: Say it again. You attached the  
13 what now?

14 MR. CROCKER: The two applications, the ITAC  
15 and the UTAC.

16 JUDGE RILEY: Hold on a minute. Yes, they  
17 were. They were submitted as Exhibit F. It's on  
18 the Edocket.

19 MR. CROCKER: All right. Thank you.

20 BY MR. CROCKER:

21 Q. Mr. Wojciechowski, could you please briefly  
22 describe the company's internal process for

1 complaint resolution and the escalation process.

2 A. As an issue comes into our customer service  
3 department, if it's something that one of our CSRs  
4 can't handle immediately, it's automatically given  
5 to our manager, Judy Tuytens, to try and handle the  
6 resolution.

7 If the -- the escalation from Judy would then  
8 go through Mark Krolikowski and then to myself for  
9 final resolution.

10 Q. Okay. How does the company plan to solicit  
11 customers once it begins to provide local service?

12 A. We're going to solicit via our own internal  
13 mailings, direct mail through our own membership  
14 directories and newspapers and things of that  
15 nature.

16 MR. CROCKER: Your Honor, for the record, I'd  
17 like to indicate that this response is inconsistent  
18 with the response we provided in question 15 of  
19 Appendix A, which indicates that they'd be  
20 soliciting customers through telemarketing. That  
21 was a mistake on the part of our law firm including  
22 them.

1 JUDGE RILEY: Let me take a quick look at it.

2 The answer to question 15, How does your  
3 company plan to solicit customers once it begins to  
4 provide local service? The answer is,  
5 Telemarketing. What is the witness' answer?

6 MR. CROCKER: The witness indicated that they  
7 will be marketing initially to their current  
8 subscribers through billing inserts and mailings.

9 JUDGE RILEY: Then what I'll do is I'll take  
10 your motion to amend the Appendix A question  
11 No. 6 to reflect 30 employees. And I'll treat this  
12 as another motion to amend Appendix A again,  
13 question No. 15; that telemarketing is not the  
14 correct answer and that it will be essentially  
15 billing inserts.

16 MR. CROCKER: Yes. Thank you, your Honor.

17 BY MR. CROCKER:

18 Q. Mr. Wojciechowski, will the company abide by  
19 federal and state slamming laws?

20 A. Yes, it will.

21 Q. Has the company written guidelines to prevent  
22 the unauthorized slamming of local exchange

1 customers?

2 A. Yes, it does.

3 Q. Have any formal complaints or judgments been  
4 levied against the company?

5 A. No.

6 Q. Okay.

7 MR. CROCKER: Your Honor, I have no revisions  
8 to -- further revisions to Appendix A. Now I'm  
9 moving on to Appendix B. And we're going to be  
10 focusing on questions 4, 5, and 6 here.

11 And to the extent our answer is inconsistent  
12 with the ones provided, we'd ask that the record  
13 reflect the correct answer.

14 JUDGE RILEY: All right.

15 BY MR. CROCKER:

16 Q. Who will be responsible for building and  
17 maintaining the 911 database for your local exchange  
18 customers?

19 A. AFBI, American Farm Bureau, Inc.

20 Q. Mr. Wojciechowski, how often will your company  
21 update the 911 database with customer information?

22 A. We will do it daily.

1 Q. And will your company's billing system have the  
2 ability to distinguish between facilities-based and  
3 resale for the collection of 911 surcharge?

4 A. Yes, it will.

5 MR. CROCKER: Your Honor, as you can see, the  
6 responses to my last three questions are  
7 inconsistent with questions 4, 5, and 6 provided in  
8 Appendix B.

9 And to that extent, I'd ask that you amend the  
10 record to reflect the accurate answer.

11 JUDGE RILEY: Okay. I'll take that as a motion  
12 to reflect to amend Appendix B, questions 4, 5, and  
13 6.

14 Mr. Hanson, I'm sorry I've left you out of this  
15 so far. Do you have any objection to any of the  
16 amendments as they've been proposed so far?

17 MR. HANSON: No, sir.

18 JUDGE RILEY: All right then.

19 MR. CROCKER: Your Honor, I envision  
20 Mr. Hanson just checking off his questions that he'd  
21 be asking right now. So... Trying to clarify  
22 things.

1 JUDGE RILEY: Then your motion is granted to  
2 amend Appendix B, questions 4, 5, and 6.

3 MR. CROCKER: Thank you, your Honor.

4 And with that, I have no further questions,  
5 your Honor.

6 JUDGE RILEY: All right. Thank you. I have a  
7 few of my own, but I'm going to let Mr. Hanson go  
8 first.

9 Mr. Hanson, are you prepared to cross examine?

10 MR. HANSON: Yes, sir.

11 JUDGE RILEY: Please, proceed.

12 CROSS EXAMINATION

13 BY

14 MR. HANSON:

15 Q. Mr. Wojciechowski, just a couple questions.

16 This is going back to the petition.

17 On your technical -- this is question 26 with  
18 respect to the technical issues. It says, The  
19 applicant intends to utilize its own equipment and  
20 facilities. But I gather you're intending to  
21 provision service using the unbundled network, the  
22 UNE-P platform; is that correct?



1 A. That's correct.

2 Q. Is that how you're provisioning service in  
3 Wisconsin where you have received a certification,  
4 or have you begun to provision service in Wisconsin?

5 A. We have not started to -- we've been approved,  
6 but we're in the negotiations phase right now with  
7 Ameritech.

8 Q. Okay. All right. So you at this point, you  
9 have not -- and just one question. This is with  
10 respect to -- back on question 2, under the  
11 authority that you're seeking, you currently have  
12 resale authority in the State of Illinois for --  
13 that you're reselling interexchange authority?

14 A. Yes, sir.

15 Q. Are you telling -- are you intending then when  
16 you ask for additional authority under 13.404, the  
17 resale of local and/or interexchange, you already  
18 have that or are you intending to resale local or  
19 just provision local using UNE-P entirely?

20 A. Well, there might be circumstances where we  
21 might have the resale also. We would like to have  
22 both, if we can.

1 Q. I just wanted to clarify that. And  
2 Mr. Crocker is correct; he asked a lot of the  
3 questions I had.

4 I did have -- excuse me here while I look for  
5 this.

6 You indicated -- and I have to find the exact  
7 place on the application, that you -- you seemed  
8 like your answers were kind of inconsistent. Are  
9 you intending to seek authority as an eligible  
10 telecommunications carrier?

11 A. I don't understand that question.

12 Q. I think -- okay. It's Appendix A, question No.  
13 9. It's -- if you're -- if you're intending on  
14 providing certain services under lifeline and  
15 link-up programs, that you'd have to go through some  
16 process to become eligible to offer those services?

17 A. That's correct.

18 Q. And are you intending on doing that?

19 A. Yes, if that market opens itself for us and  
20 we're required to do so, we will.

21 Q. Okay. So you are intending on seeking to do  
22 that?

1           A.     Hm-hmm.

2                   JUDGE RILEY:   Hm-hmm, meaning yes?

3                   THE WITNESS:   Yes.

4           BY MR. HANSON:

5           Q.     Okay.  I just wanted to clarify that because  
6           most people who come in for authority don't seek  
7           that.  Okay.  Then I think the answer No. 10 should  
8           be -- that's nonapplicable?

9                   MR. CROCKER:   Well, I'd have to say I don't  
10           agree with that because it's a true statement either  
11           way.  He understands No. 10.  He may or may not seek  
12           --

13                  MR. HANSON:   Okay.  At this point, they don't  
14           know for sure?

15                  MR. CROCKER:   That's right.  It's hard to --  
16           we're just answering the questions.

17                  MR. HANSON:   All right.  I understand.

18                  So I don't believe I have any further  
19           questions.

20                  JUDGE RILEY:   All right.  Thank you,  
21           Mr. Hanson.

22

1 EXAMINATION

2 BY

3 JUDGE RILEY:

4 Q. Mr. Wojciechowski, I have a few of my own.

5 The first thing I want to get to is the --

6 American Farm Bureau plans to do business as the

7 Farm Bureau Connection in Illinois; is that correct?

8 A. Yes, sir, it is.

9 Q. Did the -- did I understand you to say that the

10 Farm Bureau Connection has obtained a certificate to

11 do business under an assumed name in Illinois?

12 A. Yes, sir, it has.

13 Q. Was that filed on our Edocket with this

14 application?

15 A. I believe -- Pat, do you know if -- I don't

16 know if we've put that in.

17 MR. CROCKER: Well, it should be in the

18 application. However, the Staff has pointed out

19 that the one included in the application expired

20 last June or something like that.

21 But we've talked with the general counsel at

22 the company, and he indicates that it was renewed

1           and it is valid through 2005 now.

2           JUDGE RILEY:   Okay.   Does anyone have a copy of  
3           that?

4           MR. CROCKER:   We could secure a copy, your  
5           Honor, and submit it as a late-filed, if that's what  
6           you'd like.

7           JUDGE RILEY:   Exactly.   Yeah, I'm going to have  
8           to have a copy.

9           THE WITNESS:   I'll make sure legal gets it over  
10          to you.

11          JUDGE RILEY:   Okay.   And as a matter of fact,  
12          before we conclude here, I'll give you my fax number  
13          and you can send a fax copy and --

14          MR. CROCKER:   Okay.   Great.

15          JUDGE RILEY:   As soon as you can get it to me,  
16          that will be fine.   I'll mark that as Applicant's  
17          Exhibit 1.

18

19                               (Whereupon, Applicant's  
20                               Exhibit No. 1 was  
21                               marked for identification,  
22                               as of this date.)

1 BY JUDGE RILEY:

2 Q. Now, with regard to what the Applicant is  
3 actually seeking, I'm not clear on that right now at  
4 all. You've checked on the application Section  
5 13.404, which is resold, local, and/or interexchange  
6 services. Which is that? Which is the company  
7 seeking there?

8 A. Can you repeat the options, sir? I don't have  
9 the documents in front of me.

10 Q. It's resold, local, and/or interexchange. So  
11 you're seeking resold services?

12 A. We're seeking the ability to resell services  
13 and -- under the UNE-P platform.

14 Q. Okay. So would that be local and long  
15 distance?

16 A. Yes, sir.

17 Q. Okay. And you're also seeking to provide  
18 service under facilities-based local service?

19 A. Yes, sir.

20 Q. Okay. Is this an Illinois corporation?

21 A. Yes, sir, it is.

22 Q. All right. And I trust that the books and

1 records will be kept in Illinois?

2 A. Yes, sir, it will.

3 Q. Now, with regard to the financial data, I note  
4 that what was filed was a report for the Applicant  
5 and its subsidiaries. As you've testified today,  
6 can you warrant that the Applicant is independently  
7 of its subsidiaries a solvent and going concern  
8 right now?

9 A. Yes, sir, I can.

10 Q. And that it doesn't have to rely on its  
11 subsidiaries for any kind of financial support?

12 A. It does not.

13 Q. It's financially independent; is that correct?

14 A. That's correct, sir.

15 JUDGE RILEY: That's all the questions that I  
16 have.

17 Mr. Hanson, does Staff have a recommendation  
18 with regard to this application?

19 MR. HANSON: Staff is of the opinion that the  
20 Applicant has the managerial, technical, and  
21 financial competence to be granted a certificate for  
22 the authority that it seeks.

1 JUDGE RILEY: All right.

2 And as the last order of business, what I want  
3 to do is mark as Applicant's  
4 Exhibit 2 the financial information that was filed  
5 on our Edocket.

6 And I want to mark as Applicant's Exhibit 3 the  
7 -- what is termed the managerial and technical  
8 resources, but essentially they are brief  
9 biographies and resumes of some of the key personnel  
10 of the Applicant.

11 (Whereupon, Applicant's  
12 Exhibit Nos. 2 and 3 were  
13 marked for identification,  
14 as of this date.)

15 JUDGE RILEY: Mr. Hanson, have you had a chance  
16 to review these documents?

17 MR. HANSON: Yes. And I might also -- I'm not  
18 sure what you're talking about, the documents. The  
19 company has also provided me additional information  
20 on additional staff with the technical competence of  
21 that staff besides what's in the petition.

22 JUDGE RILEY: Okay. Yes, I believe I have that



1 as well. And I will -- to the extent that it's  
2 relevant, I will include that with Applicant's  
3 Exhibit 3.

4 Now, with regard to Applicant's Exhibit 1,  
5 which is going to be the certificate of authority to  
6 do business under an assumed name, Mr. Crocker, I've  
7 marked that as Applicant's Exhibit 1. And I take it  
8 you're moving for the admission of that into  
9 evidence?

10 MR. CROCKER: That's correct.

11 JUDGE RILEY: Mr. Hanson, is there any  
12 objection?

13 MR. HANSON: No, sir.

14 JUDGE RILEY: And with regard to Applicant's  
15 Exhibit 2, which is the financial data,  
16 Mr. Crocker, again I'll take it that you're moving  
17 for the admission of that into evidence?

18 MR. CROCKER: That would be correct.

19 JUDGE RILEY: Mr. Hanson, is there any  
20 objection?

21 MR. HANSON: No.

22 JUDGE RILEY: Applicant's Exhibit 1 and 2 are

1 admitted.

2 (Whereupon, Applicant's  
3 Exhibit Nos. 1 and 2 were  
4 admitted into evidence  
5 as of this date.)

6 JUDGE RILEY: Applicant's Exhibit 3, which I'm  
7 simply going to term the resumes and biographies of  
8 the key personnel of the Applicant, again, Mr.  
9 Crocker you're moving for the admission of that into  
10 evidence?

11 MR. CROCKER: That's correct.

12 JUDGE RILEY: And, Staff, once again, is there  
13 any objection?

14 MR. HANSON: No, your Honor.

15 JUDGE RILEY: Applicant's Exhibit 3 is admitted  
16 into evidence.

17 (Whereupon, Applicant's  
18 Exhibit No. 3 was  
19 admitted into evidence  
20 as of this date.)

21 JUDGE RILEY: And let me term Applicant's  
22 Exhibit 1 as a late-filed.

1 Did Staff have anything further?

2 MR. HANSON: No, your Honor.

3 JUDGE RILEY: Thank you then.

4 Mr. Crocker, did you have any anything further?

5 MR. CROCKER: No, just the pleasure, as usual.

6 And American Farm Bureau is one of the finest  
7 telecom companies out there. And to grant them a  
8 certificate is definitely the right move here.

9 JUDGE RILEY: I'm sure it is. Then I will  
10 direct the court reporter to mark this matter heard  
11 and taken. And please get that late-filed exhibit  
12 to me as soon as possible.

13 MR. CROCKER: Thank you, your Honor.

14 JUDGE RILEY: Thank you very much.

15 (HEARD AND TAKEN.)

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